SUPREME COURT OF THE UNITED STATES

EXCEL COMMUNICATIONS, INC., ET AL.
v. AT&T CORP.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

No. 99–95. Decided October 12, 1999

The petition for a writ of certiorari is denied. Justice O'Connor took no part in the consideration or decision of this petition.

Statement of JUSTICE STEVENS respecting the denial of the petition for writ of certiorari.

The importance of the question presented in this certiorari petition makes it appropriate to reiterate the fact that the denial of the petition does not constitute a ruling on the merits. See *Carpenter* v. *Gomez*, 516 U. S. 981 (1995) (opinion of STEVENS, J., respecting denial of certiorari); *Maryland* v. *Baltimore Radio Show, Inc.*, 338 U. S. 912, 917–919 (1950) (opinion of Frankfurter, J., respecting denial of certiorari).